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In re Application of
KOPCHICK, et al.
Application No.: 10/524,237
PCT No.: PCT/US03/24053
Int. Filing Date: 04 August 2003
Priority Date: 04 August 2002
Attorney Docket No.: KOPCHICK5A
For: DIAGNOSIS OF KIDNEY DAMAGE AND
PROTECTION AGAINST SAME

DECISION ON PETITIONS

UNDER 37 CFR 1.137(b)

AND 37 CFR 1.182

This decision is in response to applicant's "Petition to Revive Unintentionally Abandoned Application" filed 10 February 2005 and "Petition to Change Inventor's Name to Reflect Marital Status, Pursuant to 37 CFR 1.182" filed 30 June 2005 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 04 August 2003, applicant filed international application PCT/US03/24053. The thirty-month period for paying the basic national fee in the United States expired at midnight on 02 February 2005.

On 10 February 2005, applicant filed the present petition to revive pursuant to 37 CFR 1.137(b).

On 30 June 2005, applicant filed a petition under 37 CFR 1.182.

DISCUSSION

I. Petition Under 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 10 February 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply, from the due date for the reply (Feb. 2, 2005) until the filing of this petition was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the

full, U.S. basic national fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

II. Petition Under 37 CFR 1.182

As explained in the Manual of Patent Examining Procedure (MPEP) 605.04(c), in cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, a petition under 37 CFR 1.182 is required. The petition must be accompanied by an affidavit signed with both names and setting forth the procedure whereby the change of name was effected.

The present petition is accompanied by a declaration setting forth the procedure whereby the change of name was effected; namely by marriage. The declaration is executed by Mrs. Wetzel using her current married name and her maiden name. As such, it is appropriate to grant applicant's petition at this time.

CONCLUSION

Applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

Applicant's petition under 37 CFR 1.182 is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for the preparation and mailing of a "Notification of Missing Requirements" (Form PCT/DO/EO/905) informing applicant that an executed oath or declaration of the inventors.



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